

# **EXHIBIT M**



DEPARTMENT OF THE TREASURY  
WASHINGTON, D.C.

May 1, 2020

RE: 2020-04-305

Ms. Amrit Singh  
Open Society Justice Initiative  
224 West 57<sup>th</sup> Street  
New York, NY 10019  
Email: [amrit.singh@opensociety.org](mailto:amrit.singh@opensociety.org)

Dear Ms.Singh:

This letter acknowledges your Freedom of Information Act (FOIA) request submitted to the U.S. Department of the Treasury, dated April 27, 2020. You seek, “records concerning the timing and substance of the Executive Branch’s response to the novel coronavirus, now known as severe acute respiratory syndrome coronavirus 2 or “SARS-CoV-2,” the virus that causes the disease known as coronavirus disease 2019 or “COVID-19.” Specifically, you request records concerning notice of SARS-CoV-2 and COVID-19, the Executive Branch’s efforts to counter SARS-CoV-2 and COVID-19, and Executive Branch SARS-CoV-2 and COVID-19 communications with Congress, State Governors, and the WHO.

I have initiated a search within Departmental Offices (DO), for records that would be responsive to your request. I will make every effort to provide you with a timely response. I invite you to contact my office to discuss limiting the scope of your request which could significantly reduce the processing time of your request.

I will review your request for a fee waiver once our office ascertains that the billable costs will exceed our \$25.00 billing threshold.

You have requested expedited processing. The FOIA states that “each agency shall promulgate regulations ... providing for expedited processing of requests for records.”<sup>1</sup> There are two categories of requests that merit expedited review under Treasury’s FOIA regulations: (1) requests for which a lack of expedited treatment “could reasonably be expected to pose an imminent threat to the life or physical safety of an individual;” or (2) where there is an “urgency to inform the public about an actual or alleged Federal Government activity”, if made by a person primarily engaged in disseminating information.”<sup>2</sup>

Based upon my review of the information contained in your request, and in consideration of the two factors identified above, I have determined to deny your request for expedited processing.

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<sup>1</sup> See 5 U.S.C. § 552(a)(6)(E)(i)

<sup>2</sup> See 31 CFR § 1.4(e)

You have not demonstrated how not receiving the information you requested would reasonably be expected to pose an imminent threat to the life or physical safety of an individual or that there is an urgency to inform the public about an actual or alleged Federal Government activity.

Since Treasury's response to your request for expedited treatment constitutes an adverse action, you have the right to appeal this determination within 90 days from the date of this letter. By filing an appeal, you preserve your rights under FOIA and give the agency a chance to review and reconsider your request and the agency's decision. Your appeal must be in writing, signed by you or your representative, and should contain the rationale for your appeal. Please also cite the FOIA reference number noted above. Your appeal should be addressed to:

Ryan Law  
FOIA Appeal  
FOIA and Transparency  
Privacy, Transparency, and Records  
Department of the Treasury  
1500 Pennsylvania Ave., N.W.  
Washington, D.C. 20220

If you submit your appeal by mail, clearly mark the letter and the envelope with the words "Freedom of Information Act Appeal." Your appeal must be postmarked or electronically transmitted within **90 days** from the date of this letter.

If you would like to discuss this response before filing an appeal to attempt to resolve your dispute without going through the appeals process, you may contact Treasury's FOIA Public Liaison, for assistance via email at [FOIAPL@treasury.gov](mailto:FOIAPL@treasury.gov), or via phone at (202) 622-8098.

A FOIA Public Liaison is a supervisory official to whom FOIA requesters can raise questions or concerns about the agency's FOIA process. FOIA Public Liaisons can explain agency records, suggest agency offices that may have responsive records, provide an estimated date of completion, and discuss how to reformulate and/or reduce the scope of requests in order to minimize fees and expedite processing time.

If you are unable to resolve your FOIA dispute through our FOIA Public Liaison, the Office of Government Information Services (OGIS) also mediates disputes between FOIA requesters and federal agencies as a non-exclusive alternative to litigation. If you wish to contact OGIS, you may contact the agency directly at the following address, emails, fax or telephone numbers:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road – OGIS  
College Park, MD 20740-6001  
Email: [ogis@nara.gov](mailto:ogis@nara.gov)  
Telephone: 202-741-5770  
Toll free: 1-877-684-6448  
Fax: 202-741-5769

Please note that contacting any agency official (including the FOIA analyst, FOIA Requester Service Center, FOIA Public Liaison) and/or OGIS is not an alternative to filing an administrative appeal and does not stop the 90- day appeal clock.

You may reach me via telephone at 202-622-0930, extension 2; or via email at [FOIA@treasury.gov](mailto:FOIA@treasury.gov). Please reference the FOIA number at the top of this letter when contacting our office about this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacqueline J. Scott', with a stylized flourish at the end.

Jacqueline J. Scott  
FOIA Analyst, FOIA and Transparency  
Privacy, Transparency, and Records